

DATE: March 18, 2021

TO: ALL INTERESTED PARTIES

/s/ **SUZANNE M. AMBROSE**

FROM: Suzanne M. Ambrose
Executive Officer

SUBJECT: NOTICE OF MODIFICATION TO TEXT OF PROPOSED REGULATION

Notice is hereby given that the State Personnel Board (Board) proposes to adopt sections 83.5 and 83.6 to define nepotism and personal relationships, and section 87 to explain what an anti-nepotism policy should include. (Cal. Code Regs., tit. 2, §§ 83.5, 83.6, and 87.)

The changes are in response to comments received during the 45-day public comment period regarding sections 83.5, 83.6, and 87. The changes being made are:

1. It is the Board's view that domestic partnerships constitute a familial relationship that is legally distinct from marriage. Therefore, the regulations have been amended to include domestic partnership under the definition of personal relationship. Additionally, the proposed regulation has been amended to include both current and former marriage, domestic partnership and cohabitation.
2. Proposed section 83.6 has been amended to include a definition of cohabitation.
3. The regulations have been amended to mandate appointing powers' anti-nepotism policies include a definition of nepotism.
4. To ensure clarity, the Board has deleted the term "assign" and replaced it with "transfer" and "promote". Additionally, the term "association" has been replaced with the term "related" under the definition of personal relationship.

If you have any comments regarding the proposed changes, the Board will accept written comments between March 19, 2021, and April 5, 2021. All written comments must be submitted to the Board by April 5, 2021 and addressed to:

Lori Gillihan, Chief
Policy Division
State Personnel Board

801 Capitol Mall
Sacramento, CA 95814
Email: lori.gillihan@spb.ca.gov

All written comments received by April 5, 2021, which pertain to the indicated changes will be reviewed and responded to by the Board as part of the compilation of the rulemaking file. Please limit your comments to the modifications of the text.